

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**UNITED STATES OF AMERICA**

**VERSUS**

**CRIMINAL ACTION NO. 4:09CR49**

**MARY WESLEY**

**ORDER**

This cause is before the Court on the government's Motion for Continuance [120]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for June 28, 2010. Counsel for the government represents in the motion that Gloria Jackson, the Internal Revenue Service tax record certification witness for the Southeastern United States, has been subpoenaed and is expected to testify in two other trials during the same week; therefore, she is unavailable as a witness as a result. Moreover, the assigned case agent, Christina Coleman has had a death in her family and she is not available to assist with trial preparation. The government avers in the motions that the testimony of these individuals is essential to the trial of the case. Defense counsel has no objection to the requested continuance.

These circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(3)(A), the period of delay from June 28, 2010 until the new trial date to be set in this matter. The time is excludable under subsection (h)(3)(A) for the reasons outlined in the foregoing paragraph

**IT IS, THEREFORE, ORDERED AND ADJUDGED that**

1. The government's Motion for Continuance [120] is **GRANTED**;

2. That the trial of this matter is continued until Monday, September 20, 2010 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi; multiple voir dire is to be held at the same time and place;
3. That the delay from June 28, 2010 until September 20, 2010 is excluded as set out above;
4. That the deadline for filing pretrial motions is August 30, 2010;
5. That the deadline for submitting a plea agreement is September 7, 2010.

SO ORDERED, this the 24<sup>th</sup> day of June, 2010.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE